

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**WILLIAM R. LAMB, II
and DUYEN MY LAMB**

PLAINTIFFS

V.

CIVIL ACTION NO.: 1:21-cv-279-TBM-RHWR

**LOWE’S HOME CENTERS, LLC,
LOWE’S HOME IMPROVEMENT STORE NO. 2350,
and FLORIM USA, INC.**

**DEFENDANTS/THIRD-
PARTY PLAINTIFFS**

V.

CHAD BRYANT

THIRD-PARTY DEFENDANT

MOTION FOR ENLARGEMENT OF TIME

COME NOW the Defendants, Lowe’s Home Centers, LLC (“Lowe’s”), by and through the undersigned counsel, and respectfully file this unopposed motion seeking an enlargement of time, until July 5, 2022, within which to serve process on Third-Party Defendant Chad Bryant. The undersigned counsel has conferred with counsel for Plaintiff and is authorized to represent to the Court that Plaintiff does not oppose said request for enlargement of time.

1. On November 22, 2021, following leave of Court, filed its Third-Party Complaint against Chad Bryant, the installer of the allegedly defective tile.

2. On November 30, 2021, Summons was issued to Third-Party Defendant, Chad Bryant, by the Clerk of Court.

3. After diligent search for Third-Party Defendant, Chad Bryant, he was finally served with process on or about March 27, 2022.

4. On or about March 28, 2022, Lowe's counsel was informed that the service of process on Chad Bryant was the incorrect person and he was not the Third-Party Defendant.

5. Our deadline to obtain service of process on the Third-Party Defendant expired on March 30, 2022.

6. Lowe's respectfully requests that the Court grant it an additional ninety (90) days, until July 5, 2022, to effect service of process on the correct Third-Party Defendant.

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully request that this Court enter an Order granting an enlargement of time, until July 5, 2022, within which to serve process on Third-Party Defendant Chad Bryant. Defendants respectfully seek any such other relief as may be appropriate under the circumstances.

This, the 6th day of April, 2022.

Respectfully submitted,

/s/B. Lyle Robinson

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**Attorneys for Lowe's Home Centers, LLC and
Lowe's Home Improvement Store No. 2350**

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the above and foregoing pleading with the Clerk of the Court using the ECF system which sent notification of such filing to the following counsel of record:

Paul M. Newton, Jr.
Newton Law Firm, PLLC
Post Office Box 910
Gulfport, MS 39502
Attorney for Plaintiffs

This the 6th day of April, 2022.

s/ B. Lyle Robinson

B. Lyle Robinson